

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Richard A. Perales, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> Jack Daniels, Chief Psychiatrist; and Dionne Hart, Staff Psychiatrist, <p style="text-align: center;">Defendants.</p>	Case No. 23-CV-0781 (SRN/TNL) <p style="text-align: center;">ORDER GRANTING IFP STATUS</p>
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SUSAN RICHARD NELSON, United States District Judge

The Court recently granted plaintiff Richard A. Perales’s application to proceed *in forma pauperis* (“IFP”) on appeal. *See* Dkt. No. 6. As part of that Order, Perales was directed to pay an initial partial filing fee of at least \$14.98 pursuant to 28 U.S.C. § 1915(b). That provision, however, applies only to prisoners, and Perales is not a prisoner within the meaning of § 1915(h). Accordingly, the Court’s prior Order will be vacated, and Perales will not be directed to pay an initial partial filing fee in prosecution of his appeal. To be clear, however, Perales may proceed IFP on appeal, and his IFP application will again be granted notwithstanding the prior Order being vacated.

CONCLUSION

Based on the submissions and the entire file and proceedings herein, **IT IS HEREBY ORDERED** that

1. The Court’s June 30, 2023 Order [Dkt. No. 6] is **VACATED**.

2. The application to proceed *in forma pauperis* on appeal of plaintiff Richard A. Perales [Dkt. No. 5] is **GRANTED**.
3. The Clerk of Court shall provide notice to the authorities at the institution where Perales is confined that Perales does not owe a financial obligation to the Court in prosecution of his appeal.

IT IS SO ORDERED.

Dated: July 6, 2023

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge